

ORDINANCE No. 2017-O-005

AN ORDINANCE DOPTING A WATER CONSERVATION PLAN AND A DROUGHT CONTINGENCY PLAN FOR THE CITY OF BLANCO, TO PROMOTE THE RESPONSIBLE USE OF WATER AND ESTABLISHING CRITERIA FOR THE INITIATION AND TERMINATION OF DROUGHT RESPONSE STAGES, INCLUDING RESTRICTIONS, PROVIDING FOR PENALTIES, PROVIDING SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Blanco, Texas, recognizes that the amount of water available to its citizens and customers is limited; and

WHEREAS, the City recognizes that drought, system failures, and other acts of God may occur and that the City cannot guarantee uninterrupted water supply for all purposes at all times; and

WHEREAS, the City desires to conserve water resources and prepare for drought; and

WHEREAS, the City desires to comply with Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality which require these plans for all public water supply systems; and

WHEREAS, pursuant to Chapter 54 of the Local Government Code and in the best interest of its citizens, the City is authorized to adopt ordinances it deems are necessary and expedient to preserve and conserve its water resources and prepare for drought;

NOW, THEREFORE, BE IT ORDAINED by the CITY COUNCIL of the CITY OF BLANCO, TEXAS, THAT:

SECTION I

The City Council does hereby find and declare that sufficient and timely written notice of place and subject matter of this meeting adopting this ordinance was posted. The City Council further ratifies, approves, and confirms such written notice and the posting thereof.

SECTION II

The City Council adopts the Water Conservation Plan and Drought Contingency Plan attached to this ordinance. For all ordinances that are in conflict with the provisions of this ordinance, the conflicting passages are hereby superseded.

Section III

Any person, individual, company or corporation that violates the provisions of the Water Conservation Plan and Drought Contingency Plan shall be charged with a Class C misdemeanor, and, further, may be charged with violation of Chapter 8 of the Unified Development Code regarding Health and Safety, and may be fined up to \$2000 per offense.

SECTION IV

Should any sentence, paragraph, clause, phrase, or word of this ordinance be declared unconstitutional or invalid for any reason, the remainder of the ordinance shall not be affected.

SECTION V

The City Secretary is hereby directed and authorized to publish the caption and penalty clause of this ordinance.

SECTION VI

The Mayor or his designee is hereby directed to file a copy of the Plans and Ordinance with the Texas Water Development Board in accordance with Title 31, Chapter 363 of the Texas Administrative Code.

SECTION VII

This ordinance shall take effect following passage and publication.

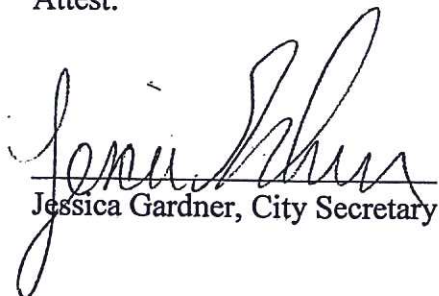
PASSED & APPROVED this, the 11th day of April, 2017, by a vote of 3 ayes, ~~0~~ nays, ~~0~~ abstentions of the City Council of the City of Blanco, Texas.

CITY of BLANCO:



Mayor Bruce Peele

Attest:



Jessica Gardner, City Secretary

CITY of BLANCO

**WATER CONSERVATION
and
DROUGHT MANAGEMENT
PLAN**

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OVERVIEW

The water treatment plant and water distribution system in the City of Blanco is owned by the City. Raw water is obtained from the Blanco River; treated at the City's treatment plant; and pumped into three storage tanks prior to entering the City's distribution system. These are: 1) a 500,000 gallon ground storage tank, 2) a 200,000-gallon standpipe, and 3) a 100,000 gallon elevated storage tank.

Statistics show that the population of Blanco has increased over the past ten years; and moderate growth is anticipated in the foreseeable future. The population in 1990 as measured by the census was 1238. The Results of the 2000 census are expected to place the population above 1500. There are approximately 850 metered water connections - 731 active and 119 inactive - to the distribution system. The water treatment plant treats an average volume of 230,000 gallons of water per day; and the maximum recorded peak day production was 600,000 gallons recorded during June of 1998.

The water treatment plant was constructed in 1955; and was upgraded in 1985 and 1993. Maximum production estimates show an average daily usage of 500,000 gallons per day during the summer months.

Analysis of the water distribution system have revealed sub-standard and deteriorated water lines throughout much of the system. Recommendations for improvements include replacement of older water lines and creation of more loops for better pressure distribution and circulation.

It is necessary to take action to upgrade the water distribution system as soon as economically possible.

SECTION 1. INTRODUCTION

This plan outlines the City's water conservation and emergency water demand management plan.

The objective of the conservation program is to reduce the quantity required for each water using activity, insofar as practical, through the implementation of efficient water use practices. The emergency water demand management plan provides procedures for voluntary and mandatory actions to be put into effect to reduce the demand placed upon the City's water supply system during a water shortage emergency. Emergency demand procedures include conservation but may also include prohibition of certain uses. Both programs are tools that the City will have available to operate effectively in all situations.

PLANNING AREA AND PROJECT DESCRIPTION

The City of Blanco provides water service to approximately 1,500 residents and to a small number of people outside the city limits.

As previously stated, the City must eventually renew and replace deteriorated, undersized, and sub-standard water lines.

GOALS OF THE PROGRAM

It is the goal of the City to upgrade the water distribution system. An immediate goal of the program is to reduce the unaccounted for water losses in the City's water distribution system by at least 25 percent.

SECTION 2. WATER CONSERVATION PLAN : PLAN ELEMENTS

There are many elements to be considered in developing a water conservation plan. The elements that are most critical to the development of a water conservation plan for the City include: indoor water conservation practices; outdoor water conservation practices; water conserving landscaping practices; and water conserving plumbing retrofits.

The principal water conservation methods to be considered in preparing this conservation plan are:

- * Public Education and Information Program
- * Water Conservation Plumbing Code
- * Water Conservation Plumbing Retrofits
- * Universal Metering and Meter Repair/Replacement Program
- * Water Conserving Landscaping
- * Water Audits and Leak Detection
- * Recycling and Reuse
- * Plan Implementation and Enforcement
- * Periodic Review and Evaluation

GENERAL PROVISIONS

A. Purpose. The purpose of this section is to establish the City's policy in the event of shortages or delivery limitations in the city's water supply.

B. Declaration of Policy. It is hereby declared that, because of the water conditions prevailing in the City, the general welfare requires that the water resources available to the city be put to the maximum beneficial use and that the waste or unreasonable use of water be prevented. Water shall be conserved in a reasonable and beneficial fashion in the interests of the people of the city and the public health and welfare.

C. Application. The provisions of this plan shall apply to all persons, customers, and property utilizing city water wherever situated.

D. Authority. The City Mayor, or his/her designate, upon the recommendation of the Utilities Director is hereby authorized and directed to implement the applicable provisions of this plan upon his/her determination that such implementation is necessary to protect the public health, welfare and safety.

EDUCATION

A. Education. The City will promote water conservation by informing the public of methods to conserve water. The overall public education will be divided into three segments: a first-year program, a long-term program, and a new customer program. Preprinted brochures will be the bases for public education. This information is available through:

Texas Water Development Board
P.O. Box 13231, Capital Station
Austin, Texas 78711-3231

(1) First-Year Program. The first-year program will include the distribution of educational materials including brochures and/or through the publication of educational information in the local newspaper four times yearly (once per quarter). The first information to be distributed will explain the water conservation program. This initial distribution will be

accompanied by a newspaper feature article. Subsequent news releases during the first year will distribute further information as necessary.

Educational materials and news releases will promote water conservation by informing water users about ways to save water inside homes; in landscaping and lawn uses; and in recreational uses. The water conservation methods to be emphasized by the City will include:

- * Bathroom, kitchen, and laundry water saving hints
- * Appliance and plumbing practices
- * Outdoor water conservation

The water conservation plan will be distributed to water users by mail in the user's billing notices or as a separate mailing. In addition to the newspaper articles, other means of communication will be considered (such as posters and public displays) if conditions warrant.

(2) Long-Term Program. The long-term program will include semi-annual distribution of educational materials and news releases corresponding to peak summer and other high-demand periods. The news releases will be used to provide information on water conserving practices, encourage water conservation, and report progress on achieving the City's conservation goal. Other news releases may be used if conditions warrant. News releases will be distributed primarily by mail.

(3) New Customer Program. New customers will receive the initial conservation education material that describes the conservation program and other general conservation information when they apply for service. These customers will then be included in the first-year or long-term program as appropriate.

WATER CONSERVATION PLUMBING CODE

On _____, the City of Blanco passed an ordinance providing plumbing regulations that include water saving plumbing requirements consistent with the Texas Water Development Board guidelines. These regulations are included as Appendix D of this plan and apply to all new construction and replacement of plumbing in existing structures. The standards for residential and commercial fixtures are established and summarized below:

<i>FIXTURE</i>	<i>STANDARD</i>
Shower Heads inch of pressure.	No more than 2.75 gallons/minute at 80 pounds/square
Lavatory and Sink inch of pressure.	No more than 2.2 gallons/minute at 60 pounds/square
Wall Mounted/Flushometer Toilets	No more than 2.0 gallons per flush.
All other toilets	No more than 1.6 gallons per flush.
Urinals	No more than 1.0 gallons per flush.
Drinking Water Fountains	Must be self-closing.
All Hot Water Lines	Must be insulated.
Swimming Pools	New pools must have recirculating filtration equipment.

WATER CONSERVATION PLUMBING RETROFITS

Customers and/or owners of buildings that do not have water conserving plumbing devices will be encouraged to retrofit their old fixtures. The educational and advertising program will help inform them of the advantages of installing water saving devices as well as the availability of these items. Customers will be informed of water conservation kits available to aid in their water conservation efforts.

UNIVERSAL METERING AND METER REPAIR/REPLACEMENT PROGRAM

The City is 100 percent metered at the present time. Currently, the City has a water accounting program that is implemented by staff observance of meter readings and billings to compare consistency of monthly water consumption based on prior year's use and billings. The meter reader makes one comparison and a second comparison is made by the utility billing department. If water consumption or monthly billing increases or decreases dramatically, the meter becomes suspect and is tested and repaired or replaced as necessary.

In addition, a computerized monitoring system has been installed which monitors both the volume of raw water used and the volume of treated water delivered into the system.

Metering and meter repair and replacement, coupled with the ongoing water accounting or auditing, will be used in conjunction with other programs such as leak detection and repair to potentially save significant quantities of water.

WATER CONSERVING LANDSCAPE

The public education program will include suggestions on landscaping and irrigation procedures which will reduce water consumption and water bills. These practices will be implemented as much as possible on public grounds in order to set an example for the general public. Nurseries and other businesses that sell outdoor plants, grasses and irrigation equipment will be encouraged to make products that conserve water available to the public. Additionally, the City will demonstrate the principles of xeriscaping by maintaining a water-conserving garden in the City park or in highly visible areas around City Hall. The City will also sponsor seminars for water customers on such topics as drip irrigation, maintenance of irrigation systems, and irrigation scheduling.

WATER AUDITS AND LEAK DETECTION

The City currently has a continuous leak detection, location, and repair program that includes an annual water audit. When a source of unaccounted-for water loss is located, corrective repairs or other actions are taken. Additionally, the computerized monitoring at the treatment plant aids in reducing unaccounted for water losses.

RECYCLING AND REUSE

There are no industries in Blanco that recycle or reuse water. The City may consider options in the future as opportunities arise.

IMPLEMENTATION AND ENFORCEMENT

The Utilities Director of Blanco or his/her duly appointed representative will act as the Administrator of the Water Conservation Plan. The Administrator will oversee the execution and implementation of all elements of the plan. He/she will also oversee adequate record keeping for program verification.

To put the Water Conservation Program into effect, the City has recently implemented the following:

- *A City Ordinance to furnish the legal documents necessary to enforce the Water Conservation Plan.

- *Adoption of new plumbing regulations regarding water conserving plumbing fixtures, recirculating swimming pool filtration systems, and insulated hot water piping.

PERIODIC REVIEW AND EVALUATION

In addition to the annual review of the water conservation program the City will be alerted throughout the year to any changes in the water supply and distribution system; or to objectives of the program. Periodic and in- depth reviews will be made by the plan administrator to determine if such changes might require an amendment or major alteration of the plan.

WATER RATE STRUCTURE

As per utilities ordinance #269 amended on July 31, 1998, the City of Blanco's Rates and Charges for water will be as follows:

Water Rates

(1) Inside City Limits: the following schedule of rates or charges for water service furnished by the City shall be, and such is hereby adopted and established as follows:

- First 1,500 gallons and minimum charge: \$11.00 per month
- the next 1,500 to 15,000 = \$2.50 per 1000 gallons
- the next 15,001 to 17,000 = \$5.00 per 1000 gallons
- the next 17,001 to 25,000 = \$7.50 per 1000 gallons
- the next 25,001 to 35,000 = \$10.00 per 1000 gallons
- the next 35,001 and over = \$12.50 per 1000 gallons

(2) Outside City Limits:

- First 1,500 gallons and minimum charge: \$16.50 per month
- the next 1,500 to 15,000 = \$3.75 per 1000 gallons
- the next 15,001 to 17,000 = \$7.50 per 1000 gallons
- the next 17,001 to 25,000 = \$11.25 per 1000 gallons
- the next 25,001 to 35,000 = \$15.00 per 1000 gallons
- the next 35,001 and over = \$18.75 per 1000 gallons

SECTION 3. EMERGENCY WATER MANAGEMENT PLAN

STAGE 1--Voluntary Conservation

Criteria for implementation: The City has been without appreciable rainfall and more dry weather is forecasted (or when water over Plant dam slows to 10% of average flow).

Goal: 10-15% reduction of water use

The Mayor will formally notify the public through the news media when the Director of Public Works determines Stage 1 should be in effect. Customers or persons who use the water utility of the city are requested to limit the amount of water used year round to what is absolutely necessary for health, business, and outdoor use. During Stage 1 no penalties will be imposed upon users who do not abide by the suggestions; reminders will be placed in the local newspaper each week. **Voluntary conservation measures include, but are not limited to, the following:**

(a) Inform the public through the news media that a trigger condition has been reached, and that they should begin reducing water consumption. Radio and TV announcements where appropriate may be used. Letters, bill inserts, and brochures may also be sent to customers.

(b) Activate an information center and discuss the situation in the news media. Publish water conservation tips in the newspaper.

(c) Publicize a voluntary lawn-watering schedule as follows:

1. Customers with even-numbered addresses water on Sundays and Thursdays, between 8 p.m. and 8 a.m. only.
2. Customers with odd-numbered addresses water on Saturdays and Wednesdays, between 8 p.m. and 8 a.m. only.

STAGE 2--Mandatory Conservation

Criteria for implementation: Water is no longer flowing over the dam, continued weeks without rain, and forecast of continued drought.

Goal: 15-20% reduction of water use

The Director of Public Works will determine that Stage 2 should be in effect and will notify the Mayor. The Mayor will then confer with the news media and the mandatory measures will be printed in the local paper on a weekly basis. **These measures may include, but are not limited to, the following:**

* Continuation Stage One sections (a) and (b).

* No further sales of bulk water by the City.

* Irrigation of outside lawns, shrubbery, and plants shall be done with a hand-held bucket or a hand-held hose equipped with a positive shut-off nozzle for short duration watering. This limitation does not apply to vegetable gardens, greenhouse, or nursery stocks and newly established lawns or sod less than five weeks old, which may be watered in the minimum requirement to preserve plant life. Watering period will be restricted to 8 p.m. through 8 a.m.

* No filling of fountains or swimming pools will be permitted.

- * Vehicle washing will be permitted only at a carwash. (Restrictions shall not apply to vehicles and equipment such as garbage trucks and vehicles used for food and perishable transport-when said washing is necessary on a more frequent basis to protect the health, safety, and welfare of the public.)
- * No washing of streets, driveways, parking lots, service station aprons, office buildings, exteriors of homes or apartments, patios or other outdoor surfaces except to alleviate immediate health or fire hazards.
- * Water will not be served in restaurants except upon request.
- * Restrictions may be imposed on new water taps.

Those who continue to ignore water usage rules will be first warned, then fined. In the event a violation of this Plan occurs as a result of an accidental breaking of any hose, water pipe, irrigation device, or any other component of a water delivery system, personal notice of the violation shall be given by the Director of Public Works to the person or a representative of the person having care or responsibility for the property. The notice shall direct that the situation or condition causing the violation of this Plan be corrected within 24 hours from the time of receipt of said notice. If any violation has not been corrected within said time, it shall constitute an unlawful condition and shall be punishable as provided under this plan.

STAGE 3—Mandatory Compliance, Water Warning

Criteria for implementation: When severe conditions are present, as determined by Director of Public Works.

Goal: 25-30% reduction in water use

The Director of Public Works will advise the Mayor that Stage 3 should be in effect. The Mayor, with the approval of the Emergency Management Coordinator, may declare a State of Emergency. Citizens will be alerted to the state of crisis through a major news and media program involving weekly newspaper notices and posters in every place of business. **Restrictions and curtailments of water usage may include, but may not be limited to, the following:**

- * Continuation of Stage 1 Sections (a) and (b)
- * Continuation of Stage 2, with further restrictions following:
 - * All outside watering of ornamental plants is prohibited (unless for business purposes). (Livestock may be watered.)
 - * The watering of vegetable gardens will be permitted between 8 p.m. and 8 a.m. using the odd/even system (even house numbers on Sunday/Thursday, odd numbers on Saturday/Wednesday).
 - * No operation of any industrial or commercial activity or process, including construction activity, which uses water beyond the sanitary and drinking needs of employees, customers, or visitors. This provision shall not apply to the operation of residential rental buildings.
 - * Customer water quotas may be passed with Council approval.
 - * Limitations on the use of water by industries or other non-municipal water users, including requirements for them to find additional water sources, to increase recycling, or to modify production processes.

- * Fire Department water use for fire fighting only.
- * The issuance of new water taps may be curtailed with Council approval.
- * Non-compliant citizens may be subject to:
 1. water surcharge
 2. increased fines
 3. water shutoffs--reconnections only with proof of installed flow restrictor
 4. increased charge for reconnection of utilities

STAGE 4--Mandatory Compliance, Water Emergency

Criteria for implementation: Emergency conditions occur when (a) water system contamination is detected; or (b) the water system fails due to man-made or natural causes (tornadoes, hurricanes, drought, etc).

Goal: 50% or more reduction in water use

Upon finding that the foregoing measures in Stage 3 do not result in an appreciable alleviation of the water supply shortage, the Mayor, with council approval, may authorize further restrictions or absolute curtailments in the uses of water including but not limited to the following (notice to appear weekly in news media):

- * Continuation of Stage 1 Sections (a) and (b) and Stages 2 & 3, and:
- * The Mayor shall have the authority to permit a reasonable use of water in any case necessary to maintain adequate health and sanitation standards.
- * Water rationing or termination of service. In the event an emergency condition is identified, the Mayor with City Council approval, may ration water usage and/or terminate service to selected users of the system in accordance with the following sequence:
 - (1) Recreational users
 - (2) Commercial users
 - (3) School users
 - (4) Residential users
 - (5) Hospitals, public health, nursing homes, and safety facilities
- * Customers may apply to the City Council for variances and use permits (as regards the restrictions in this plan) in hardship or special cases.

SECTION 4. ENFORCEMENT

A. PRESUMPTION THAT USER IS A VIOLATOR

If a person, corporation, or association in whose name the water utility of the city is or was last billed or who is receiving the economic benefit of said water supply has knowingly made, caused, used or permitted the use of water received from the city in a manner contrary to any provision of this article, or in an amount in excess of the use permitted by the conservation stage in effect, or in a manner contrary to the terms and conditions of a valid variance, permit, or compliance agreement issued by the Review Board, the variance, permit, or compliance agreement may be revoked by the Review Board and other actions contrary to any provision of this article may cause the violator to be fined.

B. IMPLEMENTATION OF MANDATORY CONSERVATION STAGE

The Department of Public Works shall monitor the projected supply and demand for water regularly and shall recommend to the Mayor the extent of the conservation required through the implementation or termination of particular conservation stages in order for the Department to prudently plan for and supply water to its customers. Thereafter, the Mayor may order that the appropriate stage of water conservation be implemented or terminated in accordance with the provisions of this plan. Said order shall be made by public announcement and shall be published a minimum of one time weekly in the newspaper and shall become effective immediately upon publication. Publication shall continue on a weekly basis until such time as all restrictions are removed.

C. TERMINATION OF CONSERVATION STAGE

When a given trigger condition ceases to occur for at least five consecutive days the public shall be notified that any water conservation measures associated with that condition may be discontinued.

D. FAILURE TO COMPLY WITH REGULATIONS

Failure to comply with the regulations applicable shall result in the enforcement of the following sanctions:

(1) Moderate drought condition (Stage 2). A notice for specific mandatory compliance shall be sent by mail. If such notice is disregarded for so long as five days then a "final warning" shall be sent by mail giving the customer three days to become fully compliant. Continued non-compliance after such "final warning" for three days shall result in water service being cut off to such customer without further notice. Such service shall not be restored without payment of all fines and fees.

(2) Severe drought condition (Stage 3). A combined notice for specific mandatory compliance and "final warning" shall be sent to the non-complying customer by mail, giving such customer three days to reach full compliance. Continued non-compliance after notice and final warning prescribed above shall result in immediate discontinuance and cut off of water service to such customer. It shall not be reconnected without payment of all fines and fees.

E. REVIEW BOARD; REVIEW OF HARDSHIP AND SPECIAL CASES

(1) A Review Board consisting of the City Council shall immediately be established to review hardship and special cases which cannot follow the letter of this article. The Board will determine whether or not said case warrants a variance, permit, or compliance agreement within five (5) working days of the receipt of a properly completed "Application for Variance/Permit/Compliance Agreement" form. A variance shall be granted only for reasons of economic hardship which is defined as a threat to an individual's or business's primary source of income. (Under no circumstances shall inconvenience or the potential for damage of landscaping be considered an economic hardship which justifies a variance). The Board shall authorize the implementation of equitable water use restrictions which further the purpose and intent of the Blanco Water Conservation and Drought Contingency Plan. The special water use restrictions authorized by the Board in each special or hardship case shall be set forth on the face of the variance, permit, or compliance agreement.

(2) A variance or permit issued under Stage 2 of the water conservation plan shall not be valid upon implementation of Stage 3 or Stage 4 of said plan. A variance or permit expires under its own terms and conditions and/or when another stage of the water conservation plan is in effect. A separate application for a variance or permit must be submitted at each stage of the water conservation plan.

(3) Any person, corporation, or association who is issued a variance or permit and makes use of the water utility of the city pursuant to said variance, permit, or compliance agreement shall provide proof of said variance, permit, or compliance agreement upon demand. The Review Board may revoke any permit, variance, or compliance agreement previously granted to any person corporation, or association in violation of any provision of this article. The Board shall notify applicant of the proposed revocation five working days before taking such action, and applicant shall be given the opportunity to be heard by the Review Board prior to taking such action.